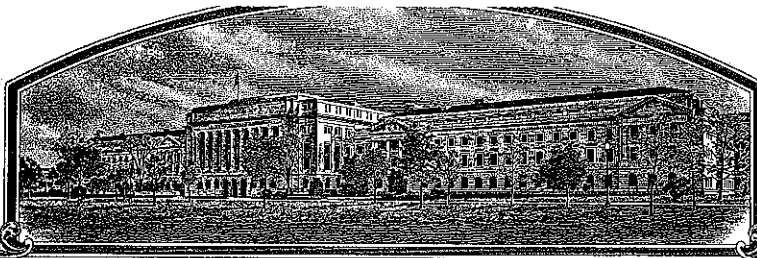


No.

200500321



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Monsanto Technology, LLC

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

COTTON

'ST 4575BR'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this sixth day of March, in the year two thousand and six.

Attest:

Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

Secretary of Agriculture

REPRODUCE LOCALLY. Include form number & date on all reproductions.		Form Approved - OMB No. 0581-0055	
U.S. Department of Agriculture Agricultural Marketing Service Science & Technology Plant Variety Protection Office		The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C.552a) and the Paperwork Reduction Act (PRA) of 1995. Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).	
APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE (Instructions & information collection burden statement on reverse)			
1. Name of Owner		2. Temporary Designation or Experimental Name	3. Variety Name
Monsanto Technology LLC		STX4575BR	ST 4575BR
4. Address (Street & No., or R.F.D. No., City, State & ZIP Code, and County)		5. Telephone (Include area code)	FOR OFFICIAL USE ONLY PVPO Number <div style="font-size: 2em; font-weight: bold;">200500321</div> Filing Date <div style="font-size: 1.5em;">AUGUST 15, 2005</div>
800 North Lindbergh Blvd. St. Louis, MO 63167 USA		8. FAX (include area code) 314-694-1000	
7. If the Owner Named is Not a 'Person', Give Form of Organization (corporation, partnership, association, etc.)		9. Date of Incorporation	
Limited Liability Company			
10. Name & Address of Owner Representative(s), to serve in this application (First person listed will receive all papers)		Filing & Examination Fees \$ 3,652.00 Date: 08/15/05 Certification Fee: \$ 768.00 Date: 2/6/2006	
Tom Wofford 800 North Lindbergh Blvd. E2616S St. Louis, MO 63167			
11. Telephone (Include area code)	12. Fax (Include area code)	13. E-Mail	14. Crop Kind (common name)
314-694-6525		thomas.j.wofford@monsanto.com	cotton
15. Genus & Species Name of Crop		16. Family Name (botanical)	17. Is the Variety a First Generation Hybrid?
Gossypium hirsutum		Malvaceae	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
18. Check appropriate box for each attachment submitted (follow instructions on reverse)		19. Does the owner specify that seed of this variety be sold as a class of certified seed? (See Section 83(a) of the Plant Variety Protection Act)	
a. <input checked="" type="checkbox"/> Exhibit A: Origin and Breeding History of the Variety b. <input checked="" type="checkbox"/> Exhibit B: Statement of Distinctness c. <input checked="" type="checkbox"/> Exhibit C: Objective Description of Variety d. <input type="checkbox"/> Exhibit D: Additional Description of the Variety (Optional) e. <input checked="" type="checkbox"/> Exhibit E: Statement of the Basis of the Owner's Ownership f. <input checked="" type="checkbox"/> Exhibit F: Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository) g. <input checked="" type="checkbox"/> Filing and Examination Fees (\$2,450), made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office)		<input type="checkbox"/> Yes (If 'yes', answer items 20 & 21 below) <input checked="" type="checkbox"/> No (If 'no', go to item 22)	
		20. Does the owner specify that seed of this variety be limited as to number of generations?	
		<input type="checkbox"/> Yes <input type="checkbox"/> No	
		21. If "Yes" to Item 20, which classes of production beyond breeder seed?	
		<input type="checkbox"/> Foundation <input type="checkbox"/> Registered <input type="checkbox"/> Certified	
22. Has the variety (including any harvested material) or a hybrid produced from this variety been sold, disposed of, transferred, or used in the U.S. or other countries?		23. Is the variety or any component of the variety protected by intellectual property right (Plant breeder's right or patent)?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, you must provide the date of first sale, disposition, transfer, or use for each country and the country and the circumstances. (Please use space indicated on reverse.)		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, please give country, date of filing or issuance, and assigned reference number. (Please use space indicated on reverse.)	
24. The owners declare that a viable sample of basic seed of the variety will be furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate.			
The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42 and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act. Owner(s) is(are) informed that false representation herein can jeopardize protection and result in penalties.			
Signature of Owner		Signature of Owner	
Name (Please print or type)		Name (Please print or type)	
Tom Wofford			
Capacity or Title	Date	Capacity or Title	Date
Global Cotton Lead	8-3-05		

General: To be effectively filed with the Plant Variety Protection Office (PVPO), ALL of the following items must be received in the PVPO: (1) Completed application form signed by owner; (2) Completed exhibits A, B, C, E; (3) For a seed reproduced variety, at least 2,500 viable untreated seeds; for a hybrid variety, at least 2,500 untreated seeds of each line necessary to reproduce the variety; or for tuber reproduced varieties, verification that a viable (in the sense that it will reproduce an entire plant) tissue culture will be deposited and maintained in an approved public repository; (4) Check drawn on a U.S. Bank for \$2,705 (\$320 filing fee and \$2,385 examination fee) payable to "Treasurer of the United States" (See Section 97.6 of the Regulations and Rules of Practice). Partial applications will be held in the PVPO for not more than 90 days, then returned to the applicant as unfilled. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 500, NAL Building, 10301 Baltimore Avenue, Beltsville, MD 20705-2351. **Retain one copy for your files.** All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. **DO NOT** use masking materials to make corrections. If a certificate is allowed, you will be requested to send a check payable to "Treasurer of the United States" in the amount of \$320 for issuance of the certificate. Certificates will be issued to owner, not licensee or agent.

Plant Variety Protection Office

Telephone: (301) 504-5518

FAX: (301) 504-5291

Homepage: <http://www.ams.usda.gov/science/pvp.htm>

ITEM:

- 18a. Give: (1) The genealogy, including public and commercial varieties, lines, or clones used, and the breeding method.
 (2) The details of subsequent stages of selection and multiplication.
 (3) Evidence of uniformity and stability; and,
 (4) The type and frequency of variants during reproduction and multiplication and state how these variants may be identified.
- 18b. Give a summary of the variety's distinctness. Clearly state how this application, variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety or a group of related varieties:
- (1) Identify these varieties and state all differences objectively.
 (2) Attached statistical data for characters expressed numerically and demonstrate that these are clear differences, and,
 (3) Submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.
- 18c. Exhibit C forms are available from the PVPO Office for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.
- 18d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 18e. Section 52(5) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. An Exhibit E form is available from the PVPO.
19. If "Yes" is specified (seed of this variety be sold by variety name only, as a class of certified seed), the applicant **MAY NOT** reverse this affirmative decision after the variety has been sold and so labeled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice (See Regulations and Rules of Practice, Section 97.103).
22. See Sections 41, 42, and 43 of the Act and Section 97.5 of the regulations for eligibility requirements.
23. See Section 55 of the Act for instructions on claiming the benefit of an earlier filing date.

21. **CONTINUED FROM FRONT** – (Please provide a statement as to the limitation and sequence of generations that may be certified.)

22. **CONTINUED FROM FRONT** – (Please provide the date of first sale, disposition, transfer, or use for each country and the circumstances, if the variety (including any harvested material) or a hybrid produced from this variety has been sold, disposed of, transferred, or used in the U.S. or other countries.)

02 April 2004

01 APRIL 2005 PER EMAIL 9/30/05 LAW

23. **CONTINUED FROM FRONT** – (Please give the country, date of filing or issuance, and assigned reference number, if the variety or any component of the variety is protected by intellectual property right (Plant Breeder's Right or Patent).)

USA	5,164,316	5,352,605	5,500,365	5,352,605	5,728,925
	5,196,525	5,359,142	4,940,835	5,633,435	5,804,425
	5,322,938	5,424,200	5,188,642	5,717,084	

NOTES: It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment or owner's representative during the life of the application/certificate. There is no charge for filing a change of address. The fee for filing a change of ownership or assignment or any modification of owner's name is specified in Section 97.175 of the regulations. (See Section 101 of the Act, and Sections 97.130, 97.131, 97.175(h) of the Regulations and Rules of Practice.)

To avoid conflict with other variety names in use, the applicant must check the appropriate recognized authority. For example, for agricultural and vegetable crops, contact: Seed Branch, AMS, USDA, Room 213, Building 306, Beltsville Agricultural Research Center - East, Beltsville, MD 20705. Telephone: (301) 504-8089. <http://www.ams.usda.gov/lsg/seed/lsg-sd.htm>

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 3.0 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in its programs on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, sexual orientation, or marital or family status. (Not all prohibited bases apply to all programs). Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotope, etc.) should contact the USDA's TARGET Center at (202) 720-2600 (voice and TDD).

To file a complaint of discrimination, write the USDA Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, D.C. 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

Exhibit A: Origin and Breeding History

Variety: ST 4575BR

ST 4575BR was derived from a backcross breeding program with the cotton variety ST 457 as the recurrent parent. The initial cross to incorporate Monsanto's Roundup Ready® (transgenic event 1445) and Bollgard® (transgenic event 531) genes and subsequent backcrosses were conducted by Stoneville Pedigreed Seed (now known as Emergent Genetics, Inc.).

In 2002, the BC3F2 plants were grown in Memphis, TN and screened for the presence of both events. Plant that were positive for both events were harvested and their progeny was planted in South Africa in as BC3F3 progeny rows in 2002. The progeny rows were screened in South Africa to confirm homozygosity for the Bollgard® and Roundup Ready® genes.

At maturity the BC3F3 progeny rows were visually evaluated for resemblance to the recurrent parent. Individual plants and bulks were harvested from rows that were homozygous for the transgenes and resembled the recurrent parent. The individual plants were grown as progeny rows in Stoneville, MS, in May 2003, and evaluated for purity of the transgenes and agronomic traits. The bulk seed was used to conduct replicated trials to evaluate yield, fiber traits, and visual agronomic comparisons of the selected rows versus the recurrent parent.

Data gathered from the 2003 replicated testing and purity evaluations identified lines that looked and performed similar to the recurrent parent. These lines were evaluated further in 2004 replicated testing and evaluated for purity standards. ST 4575BR is a blend of these lines.

Maintenance of the Variety

The variety will be maintained through pure line maintenance of breeder seed and production of foundation and registered classes of seed.

Statement of Uniformity and Stability

ST 4575BR has been evaluated in many environments from 2003 to 2004 across the cotton belt by the staff of Emergent Genetics, Inc. and many public researchers. No off-types were detected and no variants were noted in the variety.

During this two year evaluation period, ST 4575BR was uniform and stable.

Exhibit B: Statement of Distinctness

Variety : ST 4575BR

ST 4575BR has an indeterminate plant growth habit and has a strong, erect central stem. ST 4575BR is most similar to ST 457; however, it contains Monsanto's Bollgard® and Roundup Ready® technologies whereas ST 457 does not.

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**EXHIBIT C
(COTTON)**

**U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY
PLANT VARIETY PROTECTION OFFICE
BELTSVILLE, MD 20705**

OBJECTIVE DESCRIPTION OF VARIETY

NAME OF APPLICANT(S): Monsanto Technology LLC.	TEMPORARY DESIGNATION: STX4575BR	VARIETY NAME: ST 4575BR
ADDRESS (Street and No., or R.F.D. No., City, State, & ZIP Code): 800 North Lindbergh Blvd. St. Louis, MO 63167		FOR OFFICIAL USE ONLY VPPO NUMBER 200500321

Place the appropriate data that describes the varietal characteristics of this variety in the space provided. Characteristics described, including numerical measurements, should represent those that are typical for the variety. Royal Horticultural Society or any recognized color fan may be used to determine plant colors. Characters marked with an asterisk (*) indicate necessary characters to be measured.

SPECIFIC VARIETIES USED FOR COMPARISON AS CHECK VARIETIES IN THIS APPLICATION: (Use standard regional check varieties which are adapted to your area. One of the comparison varieties must be the most similar variety used in Exhibit B.

Variety 1:	Variety 2:	Variety 3:
ST 457		

* 1. SPECIES: X *G. hirsutum* L. *G. barbadense* L.

* 2. AREA(S) OF ADAPTATION: (A = Adapted, NA = Not Adapted, NT = Not Tested)

<u> </u> A Eastern	<u> </u> A Delta	<u> </u> A Central	<u> </u> A Blacklands
<u> </u> Plains	<u> </u> A Western	<u> </u> A Arizona	<u> </u> San Joaquin
<u> </u> Other (Specify)			

3. GENERAL: Characteristics which are known to be variable, but are still useful for a meaningful description of variety.

	Application Variety	Comparison Variety 1	Comparison Variety 2	Comparison Variety 3
Plant Habit: Spreading, Intermediate, Compact	Intermediate	Intermediate		
Foliage: Sparse, Intermediate, Dense	Intermediate	Intermediate		
Stem Lodging: Lodging, Intermediate, Erect	Erect	Erect		
Fruiting Branch: Clustered, Short, Normal	Normal	Normal		

3. GENERAL: (Continued)

	Application Variety	Comparison Variety 1	Comparison Variety 2	Comparison Variety 3
Growth: Determinate, Intermediate, Indeterminate	Intermediate	Intermediate		
Leaf Color: Greenish yellow, Light green, Medium green, Dark green	Light Green	Light Green		
Boll Shape: Length less than width, Length equal to width, Length more than width	Length>Width	Length>Width		
Boll Breadth: Broadest at base, Broadest at middle	Base	Base		

*4. MATURITY: (50% Open bolls; Preferred method; Describe method if different method was used.)

Date of 50 % open bolls	Sept. 10	Sept. 11		
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5. PLANT:

Cm to 1st Fruiting Branch: (from cotyledonary node)	20.1	19.0		
No. of Nodes to 1st Fruiting Branch: (excluding cotyledonary node)	6.2	6.1		
Mature Plant Height cm: (from cotyledonary node to terminal)	114.1	104.4		

* 6. LEAF: Upper most, fully expanded leaf.

Type: Normal, Sub Okra, Okra, Super Okra	Normal	Normal		
Pubescence: Absent, Sparse, Medium, Dense <u>OR</u> Trichomes/cm ² (Bottom surface excluding veins)	Dense	Dense		
Nectaries: Present or Absent	Present	Present		

* 7. STEM PUBESCENCE

Glabrous, Intermediate, Hairy	Hairy	Hairy		
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*8. GLANDS: (Gossypol) Absent, Sparse, Normal, More than Normal

Leaf:	Normal	Normal		
Stem:	Normal	Normal		
Calyx Lobe: (normal is absent)	Normal	Normal		

*9. FLOWER:

Petals: Cream, Yellow	Cream	Cream		
Pollen: Cream, Yellow	Cream	Cream		
Petal Spot: Present, Absent	Absent	Absent		

10. SEED:	Application Variety	Comparison Variety 1	Comparison Variety 2	Comparison Variety 3
Seed Index: (g/100 seeds, fuzzy basis)	10.1	10.0		
Lint Index: (g lint/100 seeds)	7.5	7.3		

11. BOLL:

Lint Percent:

Picked

Pulled

OR

Gin Turnout:

x Picked

Stripped

0.41

0.42

Number of Seeds per Boll:

33.7

33.7

Grams Seed Cotton per Boll:

5.9

5.8

Number of Locules per Boll:

4

4

Boll Type:

(Stormproof, Storm Resistant, Open)

Open

Open

12. Fiber Properties:

Specify Method (HVI or other)

HVI

*Length: (inches, 2.5% SL)

1.15

1.17

*Uniformity: (%)

83.4

83.9

*Strength, T1 (g/tex)

29.9

30.9

*Elongation, E1 (%)

*Micronaire:

5.0

4.8

Fineness (Source)

Yarn Tenacity: (cN/tex, 27 tex)

Yarn Strength: (lbs. 22's)

13. DISEASES: (NT = Not Tested, S = Susceptible, MS = Moderately susceptible, MR = Moderately Resistant, R = Resistant)

☐ NT *Alternaria macrospore*
☐ NT Anthracnose
☐ NT Ascochyta Blight
☐ NT Bacterial Blight (Race 1)
☐ NT Bacterial Blight (Race 2)
☐ NT Bacterial Blight (Race)

☐ NT Fusarium Wilt
☐ NT Phymatotrichum Root Rot
☐ NT *Pythium* (specify species)
☐ NT *Rhizoctonia solani*
☐ NT Southwestern Cotton Rust
☐ NT *Thielaviopsis basicola*

13. DISEASES: (continued) NT = Not Tested, S = Susceptible, MS = Moderately susceptible, MR = Moderately Resistant, R = Resistant

☐ NT Diplodia Boll Rot
☐ Other (specify)

☐ NT Verticillium Wilt

14. NEMATODES, INSECTS, AND PESTS: (NT = Not Tested, S = Susceptible, MS = Moderately susceptible, MR = Moderately Resistant, R = Resistant)

☐ NT Root-Knot Nematode
☐ NT Boll Weevil
☐ MR Bollworm
☐ NT Cotton Aphid
☐ NT Cotton Fleahopper
☐ NT Cotton Leafworm
☐ NT Cutworm (specify species):
☐ NT Fall Armyworm
☐ Other (specify):

☐ NT Reniform Nematode
☐ NT Grasshopper (specify species)
☐ NT Lygus (specify species)
☐ R Pink Bollworm
☐ NT Spider Mite (specify species)
☐ NT Stink Bug (specify species)
☐ NT Thrips (specify species)
☐ R Tobacco Bud Worm

15. COMMENTS: Present any additional information that cannot adequately be described in 1 through 13 which significantly distinguishes your variety.

ST 4575BR contains Monsanto's Bollgard® and Roundup Ready® technologies.

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE**EXHIBIT E**
STATEMENT OF THE BASIS OF OWNERSHIP

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). The information is held confidential until the certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S) Monsanto Technology LLC	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER STX4575BR	3. VARIETY NAME ST 4575BR
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP, and Country) 800 North Lindbergh Blvd. St. Louis, MO 63167	5. TELEPHONE (Include area code) 314-694-1000	6. FAX (Include area code) 314-694-1000
7. PVPO NUMBER		200500321

8. Does the applicant own all rights to the variety? Mark an "X" in the appropriate block. If no, please explain. ☒ YES ☐ NO9. Is the applicant (individual or company) a U.S. national or a U.S. based company? If no, give name of country. ☒ YES ☐ NO10. Is the applicant the original owner? ☒ YES ☐ NO If no, please answer one of the following:

a. If the original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. National(s)?

☐ YES ☐ NO If no, give name of country

b. If the original rights to variety were owned by a company(ies), is (are) the original owner(s) a U.S. based company?

☐ YES ☐ NO If no, give name of country

11. Additional explanation on ownership (If needed, use the reverse for extra space):

PLEASE NOTE:

Plant variety protection can only be afforded to the owners (not licensees) who meet the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed the final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definitions.

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